

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 2:17-cr-87-FtM-38MRM
5:09-cr-22-Oc-10GRJ

JOSE NUNEZ

ORDER¹

Before the Court is Defendant Jose Nunez's Motion to Correct Scrivener's Error. ([Doc. 114](#)). Nunez requests the Court correct a scrivener's error of Doc. 106 in Case No. 5:09-cr-22-Oc-38PRL, which involves Defendant's motion to appoint public defender for compassionate release purposes. Nunez prepared his *pro se* motion and assigned an incorrect case number to the pleading; the incorrect case number is 2:17-cr-17, which is not a case number assigned to any of Nunez's cases. Upon receipt of the motion assignment the Clerk's Office discovered the error, crossed through the incorrect case number and wrote in Nunez's 2009 case, Case No. 5:09-cr-22. However, the Clerk's case assignment was not the case in which Nunez intended his motion. He instead wants his motion filed in his 2017 case, Case No. 2:17-cr-87. The Court finds good reasons to correct the matter. See Fed. R. Crim. P. 36.


Accordingly, it is now

ORDERED:

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

1. Defendant Jose Nunez's Motion for Miscellaneous Relief ([Doc. 114](#)) is **GRANTED**.
2. The Federal Public Defender is **APPOINTED** to represent Defendant Jose Nunez in his Petition for Compassionate Release in United States District Court Case number 2:17-cr-87.
3. The Clerk is **DIRECTED** file a copy of Nunez's Motion to Appoint Federal Public Defender for Compassionate Release Purposes and copies of all supporting documents and orders docketed subsequently and related thereto (incorrectly filed in 5:09-cr-22), in Case No. 2:17cr87.

DONE AND ORDERED in Fort Myers, Florida on this 23rd day of March 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: Counsel of Record